

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

UNITED STATES OF AMERICA

§

vs.

§

NO: PE:16-CR-00424(1)-RAJ

(1) ANDREW MARION KOWALIK

§

**ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS
OF FACT AND RECOMMENDATION ON FELONY GUILTY PLEA
REGARDING COUNT TWO OF THE INDICTMENT**

On this day, the Court considered the Findings of Fact and Recommendation of the United States Magistrate Judge regarding Defendant's plea of guilty to Count TWO of the INDICTMENT in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the plea agreement and the guilty plea of the Defendant.

No objections have been filed to the Magistrate's Findings and Recommendation within the time period set by law, and neither party has requested a *de novo* review of the plea proceedings before the Magistrate. If a *de novo* review becomes necessary at any point during the pendency of the cause, the Court reserves the right to conduct it. Based on the current record before the Court, since it appears that the Findings and Recommendation are neither clearly erroneous nor contrary to law, the Court is of the opinion that said Findings and Recommendation should be adopted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge filed December 2, 2016, are hereby ADOPTED.

It is further ORDERED that the Defendant's guilty plea is accepted and approved by the Court.

It is finally ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY on Count TWO of the INDICTMENT in the above-numbered cause and enters a JUDGMENT OF GUILTY against the Defendant as to Count TWO.

SIGNED this 19th day of December, 2016.



ROBERT JUNELL
SENIOR U. S. DISTRICT JUDGE